

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TORRELL SAXON,

Petitioner,

– v. –

UNITED STATES OF AMERICA,

Respondent.

ORDER

12 Cr. 320 (ER)

RAMOS, D.J.:

On June 9, 2020, Torrell Saxon filed a *pro se* motion for compassionate release. Doc. 60. Under 18 U.S.C. § 3582(c)(1)(A), a defendant may seek compassionate release after he has “fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier[.]”

In his motion, Saxon alleges that he exhausted his administrative remedies by filing “B-8, B-9, B-10, and B11 [forms] without any response at all.” Doc. 60 at 4. However, in opposition, the Government represents that Saxon has not sought a sentence reduction from the Bureau of Prisons (“BOP”). Doc. 62 at 3. Because Saxon provides no proof of exhaustion of his claim with the BOP, the Court denies his motion without prejudice. *United States v. Feliz*, No. 16-CR-809 (VM), 2020 WL 3072284, at *1 (S.D.N.Y. June 10, 2020). Should Saxon choose to renew his motion, he should submit proof of such exhaustion so that the Court may decide his motion on the merits. *Id.*

The Clerk is respectfully directed to terminate this motion, Doc. 60.

Chambers will mail a copy of this Order to Torrell Saxon, #66770054, FCI Hazelton, P.O.
Box 5000, Bruceton Mills, W.V. 26525

It is SO ORDERED.

Dated: June 18, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.